

Before the Expert Panel

FTAA-2504-1054

Under **Fast-track Approvals Act 2024**

In the matter of an application for approvals in relation to the Ryans Road Industrial Development

By **Carter Group Limited**
Applicant

Supplementary statement of evidence of Geraint Bermingham (Navigatus)

12 March 2026

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Supplementary statement of Geraint Bermingham (Navigatus)

Introduction

- 1 My name is Geraint Bermingham.
- 2 I was involved in the preparation of the **Aviation Safeguarding Assessment** for the **Ryans Road Industrial Development**, which was submitted as part of the Applicant's response to submissions on the application (Appendix 19) and provided a supplementary statement of evidence to the Expert Panel on 23 February 2026.
- 3 This further statement of evidence is prepared in response to the questions raised by the Expert Panel in Minute 13. In particular, this statement addresses:
 - (a) Distances from the Garden City Helicopters TLOF [refer Minute 13, paragraphs 20-22];
 - (b) CAA Advisory Circular AC139-8 and the Australian NASF Guideline H [refer Minute 13, paragraphs 23-29]; and,
 - (c) The DVORDME approach [refer Minute 13, paragraphs 30-32].
- 4 In preparing this statement of evidence, I have reviewed the supplementary statement of evidence of Dr. Andrew Shelley and my evidence records where I rely on and agree with his evidence.
- 5 I have prepared this statement of evidence in my capacity as an expert, and I acknowledge that I have read and understand the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with it when preparing my statement of evidence.

Distances from the Garden City Helicopters TLOF

- 6 Dr Shelley's evidence (paragraphs 5-9 and **Attachments 1 and 2**) addresses the request of the panel set out in paragraphs 20-22 of minute 13. I agree with and adopt his description and response to the panel's questions.

CAA Advisory Circular AC139-8

Para 24 - Weight afforded to AC139-8

- 7 Consistent with the assessments and evidence I have previously provided:

- (a) Civil Aviation Rules (CAR) are mandatory and must be complied with, whereas Advisory Circulars (AC) specify an acceptable means of compliance and also provide general guidance for complying with the relevant rules.
- (b) AC139-8 is directed at 'aviation participants' who are Aerodrome operators or heliport operators. The AC is not directed at parties who are not 'aviation participants' such as parties developing land outside an aerodrome.
- (c) The requirements of AC139-8, should be given significant weight, on the basis that the Director of CAA has established this as an acceptable means of compliance with the associated rule – namely CAR Part 139.

Para 25- Assessment against relevant requirements of AC139-8

- 8 The relevant sections of AC139-8 are:
 - (a) 1.1.1: The AC provides acceptable design specifications for heliports located in populous areas.
 - (b) 1.2.1: Heliport design and provision of one approach into the prevailing wind direction.
 - (c) 1.2.2: The presence of buildings and approach orientations.
 - (d) 4.1.2: The extent and slope of approach and take-off climb surfaces
 - (e) 4.1.3: The availability of suitable approach and take-off climb surfaces.
 - (f) 4.1.4: The approach and take-off flight paths should be over terrain which affords emergency landing areas
- 9 I agree with Dr Shelley's subsequent assessment of the requirements of sections 4.1.1-4.1.4 of AC139-8, noting such matters were addressed in the Navigatus assessment dated 28/11/2025.
- 10 I also agree that the proposed constraints (conditions) on development, including new condition 21D now provides for more detailed assessment of the risks potentially created for helicopter operations from and to GCH heliport by that part of the development site immediately south of the GCH heliport as well as the potential risk of helicopter downwash as described in section 6.2 of the Navigatus assessment dated 28/11/2025. Accordingly, I

consider the requirements of advisory circular AC139-8 as I list in paragraph 8 above, will be met.

Australian NASF Guideline H

Para 27 - Weight afforded to NASF Guideline H

- 11 I consider that Guideline H should be afforded limited weight, noting:
- (a) It was developed within the Australian regulatory contexts and is not referenced by New Zealand legislation or regulations.
 - (b) The GCH heliport does not meet the criteria for a strategically important helicopter landing sites (HLS) as set out in Guideline H
 - (c) The GCH heliport is located on an aerodrome and Guideline H is concerned with “an area (not located on an aerodrome) wholly or partly used for the arrival or departure of helicopters”.

Para 28 – Is GCH heliport a strategically important heliport

- 12 Consistent with the assessments and evidence I have previously provided, and based upon the stated criteria within Guideline H, I agree with Dr Shelley’s view that the GCH heliport is not a strategically important heliport.

Para 29 – Assessment against relevant requirements of Guideline H.

- 13 I agree with Dr Shelley’s assessment of the relevant requirements in Guideline H. The assessment is consistent with the evidence I have previously provided, and sections 6 and 8 of the Navigatus assessment.

The DME approach

- 14 With reference to paragraphs 30-31 of the Panel’s minute; I concur with Cyrrus that the DME signal is, and can only be used prior to flying over (south of) the DVOR/DME site and as a result any reflected signal as modelled will not have an impact on the use of the guidance system.

Conclusion

- 15 This further statement confirms the evidence provided in my supplementary statement of evidence of 23 February 2026. Nothing in this further statement causes me to change any of the conclusions reached in that evidence.

Dated this 12th day of March 2026

A handwritten signature in blue ink, appearing to read 'Geraint', written over a horizontal line.

Geraint Bermingham